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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

In re Application of:  
Warren F. Schmalenberger

Serial No.: 09/442,819

Filed: November 18, 1999

For: **CAPITAL  
MARKET INDEX**

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Atty Docket No.: SCHC,002

Examiner: D.S. Felten

Group Art Unit: 3624

MAIL STOP RCE  
COMMISSIONER OF PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313.

Mark R. Wisner, Registration No. 30,603

August 21, 2006  
Date

**TRANSMITTAL OF AMENDMENT**

Transmitted herewith is an amendment in the above-identified application.

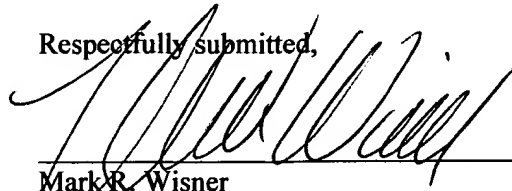
The fee has been calculated as shown below:

FOR	CLAIMS PAID FOR	TOTAL CLAIMS	EXTRA CLAIMS	RATE	TOTAL
Total Claims	27	32	- 5 -	\$50/\$25	\$ 125
Independent Claims	3	3	- 0 -	\$200/\$100	\$ - 0 -
TOTAL FEE DUE:					\$ 125

- ☒ Also enclosed is a Request for Continued Examination under 37 C.F.R. 1.114.
- ☒ Also enclosed is a Request for a (one-month) Extension of Time.
- ☐ Please charge the \$\_\_\_ fee required for \_\_\_ to the Deposit Account of Wisner & Associates, Account No. \_\_\_\_ (\_\_\_\_).
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed to cover the required fee for \_\_\_\_\_.
- ☒ A Form PTO-2038 is enclosed, authorizing the charge of the \$60.00 required fee for a one-month extension of time to respond, the \$395.00 fee for requesting continued examination, and the \$125.00 fee for five additional claims to the credit card specified thereon.

- ☒ The Commissioner of Patents is hereby authorized to draw on the Deposit Account of Wisner & Associates, Account No. 50-0965 (SCHC,002), if there are charges for entry of the enclosed amendment, if any accompanying check or Form PTO-2038 is unsigned or insufficient in amount, or if any accompanying check or Form PTO-2038 listed as being enclosed is inadvertently not attached to this paper.
- ☒ Please date stamp and return the attached postcard to confirm receipt of this amendment.

Respectfully submitted,



Mark R. Wisner

Registration No. 30,603

Wisner & Associates

1177 West Loop South, Suite 400

Houston, Texas 77027-9012

Telephone: (713) 785-0555

Facsimile: (713) 785-0561

ATTORNEY FOR APPLICANT

Date: August 21, 2006



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*Mark R. Wisner*  
Mark R. Wisner, Registration No. 30,603

August 21, 2006  
Date

**RESPONSE TO OFFICIAL ACTION OF APRIL 21, 2006**

Sir:

Applicants respond to the Official Action mailed in the captioned application on April 21, 2006 as follows. A request for an extension of time, Request for Continued Examination (RCE), and the necessary fee(s), is/are enclosed. In the event a check or an authorization to charge credit card for any necessary fees was not properly executed, was not included with this Response or the RCE, and/or was insufficient in amount, or for any other reason this Response is not considered timely filed, request is hereby made for an extension of time for the period necessary to ensure consideration of this Response and the Commissioner is authorized to charge Deposit Account No. 50-0965 (SCHC,002) in the amount of any necessary fee.

